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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,239	08/17/2001	Kuo-Cheng Lin	H010020	2868
34003	7590	11/25/2003		
INTELLECTUAL PROPERTY SOLUTIONS, INCORPORATED 5717 COLFAX AVENUE ALEXANDRIA, VA 22311				
			EXAMINER SCHEUERMANN, DAVID W	
			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 11/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/931,239	LIN ET AL.	
	Examiner	Art Unit	
	David W. Scheuermann	2834	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-17 and 21 is/are rejected.
- 7) ☒ Claim(s) 18-20 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 20 August 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

The examiner approves the drawing corrections filed on August 20, 2003.

### *Response to Arguments*

Applicant's arguments filed August 20, 2003 have been fully considered but they are not persuasive. Applicant argues:

The outstanding Action states that Fig. 5 of Chen shows two stator portions 21, 22 with bent extending portions to form a stator structure for coil. However, according to col. 3, line 40-47 for Fig. 4, "The stator structure 1 , ..., consists of four pieces of waist posts 12, four pieces of upper salients 11, four pieces of lower salients 14, and a ring 13. Before twined by a pair of coils 3, the insulator 2 is sheathed on upper and lower salients (11 and 14) and waist posts 12." Similarly, the two stator structures 21, 22 in Fig. 5 are assembled with the insulator 2 first, and then the coils are wound thereon to increase area of magnetic conduction and improve the horsepower of the motor as shown in Fig. 4 (See col. 3, line 62-65).

Applicant's argument is not understood. Figure 5 clearly show first part 21 joining with second part 22 to form a columar portion. Since each and every element of the claim is present in the Chen reference the rejection is proper and maintained.

Claim 21 has been amended to delete having the "...coil wound around said columnar portion and wrapped in said first and second parts...", emphasis added. The deletion of the word "in" creates a 112 issue and which renders that section of the claim unclear. Accordingly, this claim is presently rejected with the Chen reference.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 21 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: it is not clear how the coil is wrapped. Furthermore, lines 5 to 3, from the bottom of claim 21 are not clear as there is no preposition or adjective defining how or where the coil is "wrapped".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12 – 17, and 21, as best understood, are rejected under 35 U.S.C. § 102(b) as being anticipated by Chen, US 5859487.

Chen in figure 5 shows stator portions 21 and 22 which have a central hole with 8 portions extending therefrom, alternate portions are bent to form a stator structure for a coil. Note the insulator and coil shown below stator portion 21.

Re claims 13 and 14 note in column 1, lines 54-55, that the stator portions are made of silicon steel sheet.

Claim 15 refers to a rectangular sheet along the first and second parts. It is noted that a rectangular shaped portion can be defined by the edges of the surface forming the four edges of the vertical portion of the stator structure shown in figure 21.

As to claim 16 and 17 it is noted the extending portions which lack a vertical section have arcuate curve along the most distant portions from holed middle portion. The narrowest portion of these extending portions is the edge that is contiguous with the holed middle portion.

### ***Allowable Subject Matter***

Claims 18 –20 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcoming any 112 rejections.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David W. Scheuermann whose telephone number is (703) 308-9637. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

dws  
November 18, 2003



**DANGLE**  
NOV 19 2003